

G R S App F IX 4]

1946 - 47

File No 10-46

Previous References

ml 10-45 (92, 93) ()
ml 10-44 (68, 69)

Serial Nos 138, 139

Later References

ml 10-46 (172, 173)

GENERAL AND REVENUE SECRETARIAT

Serial Nos

- 160

Part B for

May 47

SUBJECT

Grant of pay of Rs in Grade
60-4-80 to Mr J. V. Thimmala char
Cochin, Bangalore city Muni-
cipality W-E-7 31-5-47

K 155795

26547

To

The Hon. Commr

B. Lore city

State that the proposal
for the — is not acceptable

M2

Serial
No

From the Municipal Comm Bangalore city
AS-C-224/46-47, dated 7-8-46
States that on account of the discontinuance
of the duty allowance of Rs 5-p-M granted to the
Cashier of the Bangalore city Municipality, handsh, is
canded to the official and requests sanction
to the resolution dated 6-7-46, of the Municipal
Council to give up the pay of the J. V
Thirumalachar, the Cashier at Rs 63- in the
revised grade of Rs 60-4-80, with effect
from 31-5-46

1) In G.O. No L 7573-5/M, 10-44-69 dated
24-1-45, the Scale of pay of the post of
the Cashier, Bangalore city Municipality was
revised from Rs 50-2-60 to Rs 60-4-80,
with the direction that it was not necessary
to attach a duty allowance of Rs 5-p-M to the
post.

2) Prior to the issue of the above G.O. a
duty allowance of Rs 5-p-M was attached
to the post of the Cashier, Bangalore city
Municipality when it carried a grade pay
of Rs 50-2-60

3) The J. V. Thirumalachar, Cashier who
was in receipt of a salary of Rs 63-
C pay Rs 58 + S-D A) was granted a
pay of Rs 60, under the revised grade of
Rs 60-4-80, with effect from 24-1-45
Subsequently the City Municipal Council

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recommended the continuance ~~to~~ of the above duty allowance to the Cashier but the proposal was vetoed by the Govt. C-Go no L4531/ML 10-45-93 dated 1-12-45)

- 4) In view of his long service of over 25 years, and the fact that the cashier has been deprived of his duty allowance which he was in receipt of for some years, the City Municipal Council has recommended that Mr G V Thirumalachar Cashier may be granted a pay of Rs 68- in grade Rs 60-4-80 with effect from 31-5-46
- 5) In the usual course he will draw a pay of Rs 64 from 24-1-46 and Rs 68 from 24-1-47 - in the revised grade of Rs 60-4-80
- 6) The proposal in para 4, however is for order

Mr 28/8 } There has been an improvement in the scale of pay which has been revised from Rs 50-25-00 to Rs 60-4-80 from 24/1/1945. He is now getting a pay of Rs 64 from 24/1/1946 in the revised grade from 24/1/1946. He will get Rs 68 from 24/1/1947. The proposal is to give the retrospective effect to the revised pay from 27/5/1944, whereas the order ^{revising the scale} was passed on 24/1/1945. The proposal cannot be accepted.

1216

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No

8) There is no flap in his case and it would not be justifiable to grant the request if, however, the Govt are pleased to consider the request favourably, the utmost that can be done is to give him the next increment of Rs 41- to raise his pay to Rs 60/- with effect from 1/7/46 - instead of from 24.1.1947. It would be about six months earlier than he would be getting the advance increment.

revised to 20/8/46

9) Is Govt sanction necessary?

10) The orders of Govt binding on the Municipality? Could they override the decision of Govt?

11) What is the legal position in this a regular Municipal Employee? 2/2/46

12) The legal aspect of the question is pursued separately.

2187
2/1/4

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12) A draft letter calling for the
Service Register and Character Book of
the official is put up.

13) Issue of result

in
8/9

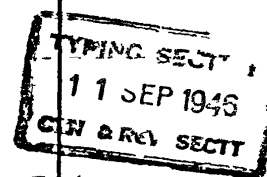
for
9/9/46

The Municipal Council

3908 d 13-9-46

calls for Service Register

14) Resubmitted



in 13/9 15) Pl put up a note on the
points raised at para 10 & 11
for 16/9/46

16) Under Article 27 of the
Municipal Accounts Manual, Vol. II,
Sanction of Govt is necessary in
respect of variations in sanctioned
scale of employees on Rs 50 and above.
The legal aspect of the question
has been referred to Law Section
in the Swaminathan's case. The
legal opinion is awaited.

in 21/9 17) It awaits the receipt of the
Service Register returns so that
all the points raised in paras 9 to 11
may be answered together.
for 22/9/46

Serial
No

From the Municipal Board, No. 40
C 224 dated 1984/6

For the service Register and Character Note
of Mr. J. V. Thirumalachar, Cashier

1) The points raised at paras 9 to 11
of the notes supra are answered below -

1) Is Govt Sanction necessary?

As this is a case of variation
in the sanctioned pay of an employee in
receipt of a pay in excess of Rs 50-
sanction of Govt, is ^{necessary} under Section 27 of
the Municipal Accounts Manual, or
~~necessary~~

2) Are orders of Govt binding on
the Municipality? Could they ever-ride
the decision of Govt? What is the
legal position?

As the Municipal Council is only a
statutory body deriving certain powers under
an Act, orders of Govt are binding on
it in another connection the Municipal
Council has raised a controversial
point regarding the powers of Govt to
appoint officers other than the Health
officer and the M.L. Council ^{the} Engineer
of the Municipality. As it involved doubts
about interpretation of certain sections of
the Act the question has been

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No

referred to the Law Section, for
advice opinion

III Is this a regular Municipal
employee?

If his Service Register and
Character Roll are put up, he is a
permanent official of the Bangalore City
Municipality.

3/2/47
8/1/47

1) The proposal in paras 8 & 9, is
for orders

2) Refer paras 9 to 11 Section

On 11/10/46 for sanction is necessary to the
proposal as this would be an increase
of recurring expenditure and also
grant of advance increments in regard
to pay, all the persons of the employees,
the provisions of the Mysore Service
regulations are also applicable
The Act cannot override the
statutory provisions of the orders of the
behalf. He is a municipal employee

25) In view of the points mentioned in paras
7 & 8 supra, the proposal is for
orders. There can be particularly no
hardship in this case, as to the order
also get Dearness allowance at the current
rate of 18% per annum in this case

25) Please await orders
on the other file re to
Mr Swaminathan's Case

1216
Long
20/1/46
Long

~~5-5 A~~

26) Resubmitted

Mr Swaminathan's case has been submitted to
the Minister for Education

42
31/1/47

27) receipt orders there will
be awaited

Received for
31/1/47
JMS
1/2/47
- L

28) Resubmit

Orders approving the appointment
of Mr M Swaminathan, as acting acting
Superintendent, Bangalore city Municipality, have
since been issued

42
29/3/47 JMS

29) What is the pay of the cashier in
Mysore city? Is he
given any other duty allowance?
Pl note

for
4/4/47

30) The Cashier in the Mysore city -

There is probably is in the grade ~~50-2-60~~ to 50-2-60. we know
any club allowance.

7/4/47

22) There is no stagnation in
this case at all, as the YM
has been benefited by being placed
in the higher grade of B 60-4-80
he is getting a pay of Rs 687 for
24/1/1947 in that grade.
The question was before the Govt once
before & the result of it has always
retained, after due consideration
there are no fresh grounds to reconsider
the case hence to propose to
give to him a pay of Rs 687
from 21/5/1944. may not be ordered
Jumma
Bees for

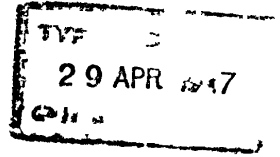
may not be ordered
for
resep for 9/11/19

There is no justification for the
grant of a pay of Rs 68/- from 31-5-40
to the official. The proposal of the
Municipal Council may be negatived
by the
Municipal Council.

Cover 11-11-78
Fuel 61 ALP
Date 10-6-78

24 30
h
Dft reply success
for
(8/11/47)

Subd with a sharp reply



Done for
28/11/47

26/4

10 M - 1000

155-95 at 6-5-47

Veter he proposed

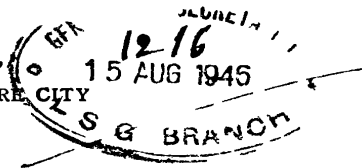
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n

ML 10-46-138
Bangalore City Municipality

No A5 C 224/46-47
Encl Two
FROM

MUNICIPAL OFFICES
Bangalore 7th August 1946

SAFI DARASHAH, Esq, B A
MUNICIPAL COMMISSIONER,
BANGALORE CITY



To

J B Mallaradhya, Esq, M A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

V
m-fur-offer
SIR,
E/E
J
Haj K

Adverting to your letter No 4530/ML 10-45-93

dated 1-12-1945 regarding the discontinuance of the Duty Allowance of Rs 5/- per month to Mr G V Thirumalachar, Cashier of this Municipality, after the revision of the scale of pay of the said post from 50-2-60 to Rs 60-4-80 as ordered in G O No L 7373-5/ML 10-44-69 dated 24-1-1945, I have the honour to state that the official represented that ~~the~~ he has been deprived of the Duty allowance permanently as directed in your letter under reference and requested that in consideration of his long service of over 25 years, he might be fixed on Rs 80/- in the revised grade or in the alternative to fix him on Rs 65/- in the said grade with effect from the date of Council resolution viz 31-5-1944 The subject was considered both by the Managing Committee and the Municipal Council at their meetings held on 14-6-1946 and 6-7-1946 respectively and it was decided by them that he may be fixed on Rs 68/- in the grade 60-4-80 with effect from 31-5-1944 Copies of the aforesaid proceedings are enclosed herewith for favour of obtaining sanction of Government to the resolution of the Council

I have the honour to be,
Sir,
Your most obedient servant,

Safdar Shah
Municipal Commissioner

Forwarded with compliments

P. S. S. S. S. S.
Honorary President

Proceedings of the meeting of the Council dated 6-7-1946

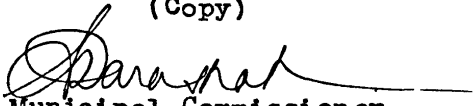
Sub 49 Opinion of the Managing Committee dated 14-6-1946
that Mr G V Tirumalachar, Cashier, may be given 68/- in grade
60-4-80 his present grade

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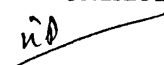
Resolution - Approved May be given from 31-5-1944

Sd/- P Sivashankar,
Honorary President

(Copy)


Municipal Commissioner

hsr/-



Proceedings of the meeting of the Managing Committee Jated
14-6-1946

Sub 103 Representation of Mr G V Tirumala Char, Cashier, that the allowance of Rs 5/- per month disallowed by Government may be recommended to be given or in the alternative, he may be given Rs 65/- in grade 60-4-80, his present grade President's note that he may be given 68/- in the above grade

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Resolution - May be sanctioned

Sd/- P Sivashankar,
Chairman

(Copy)


Municipal Commissioner

in

L.15595/mel 10-46-139/d. 6/5/47

To
28908 & 13 9 116
The Municipal Commr
Bangalore city

Subj - Grant of a pay of Rs 68- in
grade Rs 60-4-80, to Mr G V Thirumala
char, cashier, Bangalore city Municipality
with effect from 31-5-44

Sir,

With reference to your letter no
AS C-224/46-47, dated 7-8-46, I
am directed to request you to
forward the Service Register and
Character Book of the above official

I have the
hon
9/9/46
For the Secy

The proposal to grant a pay of Rs 68-

City Municipal Office,

No A5 C 224/46

Bangalore, Dated 19th Sep 1946

Encl Service Reg^r
Character Book -



From

Safi Darashah, Esq, B A ,
Municipal Commissioner

Bangalore City

To

ml
Mr. Muralidhar

Mr. Muralidhar
J B Mallaradhya, Esq, M A ,

20/9
Mr. Muralidhar
~~Chief~~ Secretary to the Government of

His Highness the Maharaja of Mysore, Revenue
Bangalore Department,

Sir,

As desired in your letter No L 3908/M1 dated
13-9-1946, I have the honour to forward herewith the
Service Register and the Character Book of Mr G V Thi-
rumalachar, Cashier of this Municipality for favour of
reference and return

I have the honour to be,

Sir,

Your most obedient servant,

Safi Darashah
Municipal Commissioner

hsr/-

L.15595/mul 10-46-139/d. 6/5/47
w/R.

To
The Municipal Comm
Bancalore city

(Through the President)

Subj.:- Grant of a pay of Rs 68- in grade

Rs 60-4-80- to Mr G V Thirumalachar, Cashier,
Bancalore city Municipality, with effect from

31-5-1944

Sir,

With reference to the correspondence ending
with your letter no AS-C-224/Hb-27 dated
7-8-46 on the above subject, I am directed
to state point out that there is no stagna-
tion in the case ^{of the person} ^{he} as the official has
been benefited by being placed in the higher
grade of Rs 60-4-80 and he is getting a pay of
Rs 68- in that grade with effect from 2-1-47

~~For consideration~~

The proposal to grant a pay of Rs 68-

~~The~~ ^{him} above official, with effect ^{from} 31-5-1944, is

therefore not acceptable to the Govt.

* The Service Register and Character Book of

My
children / the official are herewith returned

I have
from
for herewith

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L. 15595.MC 10-46-139 General and Revenue Secretariat
Dated Bangalore, 6/5/1947

FROM

*The Secretary to the Government of His Highness
the Maharaja of Mysore
Revenue Department*

TO

The Municipal Commissioner,
Bangalore City,
(Through the President)

Sir,

Subject Grant of a pay of Rs 63/- in grade Rs 60-4-80
to Mr. V. V. Thirumalachar, Cashier, Bangalore City
Municipality, with effect from 31st May 1944

With reference to the correspondence ending with
your letter No AS C 224/46-47 dated 7th August 1946 on the
above subject, I am directed to point out that there is no
stagnation in the case of this official at all, as he has been
benefited by being placed in the higher grade of Rs 60-4-80
and he is getting a pay of Rs 68/- in that grade with effect
from 24th January 1947

The proposal to grant a pay of Rs 68/- to him
with effect from 31st May 1944, is therefore not acceptable
P t o.

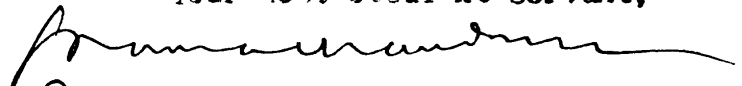
hu

- 2 -

to the Government.

The Service Register and Character book of
the official are herewith returned.

I have the honour to be,
Sir,
Your most obedient Servant,


 Revenue Secretary to Government.

LC/2.

